

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Human Resources	(2) MEETING DATE 12/3/2013	(3) CONTACT/PHONE Tami Douglas-Schatz (805) 781-5959	
(4) SUBJECT Submittal of the Memorandum of Understanding between the In-Home Supportive Services (IHSS) Public Authority Governing Board and the United Domestic Services Workers of America, AFSCME Local 3930, AFL-CIO			
(5) RECOMMENDED ACTION It is recommended that the In-Home Supportive Services (IHSS) Public Authority Governing Board approve the attached Resolution approving the negotiated Memorandum of Understanding for the United Domestic Workers of America (UDWA), establishing salaries and benefits for the represented employees.			
(6) FUNDING SOURCE(S) General Fund	(7) CURRENT YEAR FINANCIAL IMPACT \$43,000.00	(8) ANNUAL FINANCIAL IMPACT \$173,000.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Reviewed by Leslie Brown			
(18) SUPERVISOR DISTRICT(S) All Districts -			

County of San Luis Obispo



TO: Board of Supervisors, sitting as the Governing Board of
In-Home Supportive Services Public Authority

FROM: Human Resources / Tami Douglas-Schatz
(805) 781-5959

DATE: 12/3/2013

SUBJECT: Submittal of the Memorandum of Understanding between the In-Home Supportive Services (IHSS) Public Authority Governing Board and the United Domestic Services Workers of America, AFSCME Local 3930, AFL-CIO

RECOMMENDATION

It is recommended that the In-Home Supportive Services (IHSS) Public Authority Governing Board approve the attached Resolution approving the negotiated Memorandum of Understanding for the United Domestic Workers of America (UDWA), establishing salaries and benefits for the represented employees.

DISCUSSION

The In-Home Supportive Services (IHSS) program serves disabled individuals who would be at risk of institutionalization in the absence of services. Individuals served by the program include not only seniors but also many young children whose disabilities require attendant care.

Social Workers within DSS receive applications for IHSS and visit the home of the applicant. During this visit, facts are gathered concerning the individual's/family's finances, the degree of disability, the available alternative resources and the assessed needs. Eligibility for services is based on two primary factors: financial threshold including available alternative resources and the degree of disability. When an individual is deemed eligible for services, "domestic and related" activities such as grocery shopping, cooking, clean-up and housework may be provided. It also may include "personal care" services such as dressing, bathing and bowel-and-bladder care or "protective supervision" services for persons who cannot safely be left alone.

The Public Authority serves as the employer-of-record for the caregivers (IHSS providers) who actually provide the services. These caregivers may be friends, neighbors, or family members, or they may be completely unrelated individuals who apply through the Public Authority to be registered providers available to serve any eligible beneficiary. The IHSS beneficiary has the ability to hire or terminate individual providers, and is expected to supervise the providers' work performance. Upon completion of the authorized hours, the provider signs a timecard and presents the card to the beneficiary who also signs. That timecard is submitted to the Public Authority for processing, at which point it is submitted electronically to the California Department of Social Services and payment to the provider is made directly from the State.

The United Domestic Workers of America, American Federation of State, County and Municipal Employees (AFSCME) Local 3930, AFL-CIO (UDWA) has sole representation rights for IHSS providers within San Luis Obispo County. The statutory duties of the Public Authority include the responsibility to meet, confer and negotiate with representatives the UDWA. The County employs the services of Renne Sloan Holtzman and Sakai in negotiating on behalf of the Public Authority for labor agreements between the Public Authority and the UDWA.

The current Memorandum of Understanding with the UDWA terminated on June 30, 2013. Negotiations have continued between the County and UDWA in an attempt to reach agreement on a successor agreement. Adoption of the attached resolution will finalize a two (2) year Memorandum of Understanding (MOU) between the Governing Board and the UDWA. The details of the agreement are as follows:

Term:

- The MOU will commence on July 1, 2013 and will fully terminate on June 30, 2015.

Wages:

- Following approval by the Board of Supervisors as Governing Body of the Public Authority, and by State approval of the Public Authority:
 - The hourly wage shall be increased by \$0.25 per hour from \$10.00 to \$10.25 commencing no earlier than January 1, 2014.
 - The hourly wage shall be increased by an additional \$0.55 per hour to \$10.80 no earlier than January 1, 2014. This wage increase replaces and shall be in lieu of the Public Authority health benefits program funding that is currently provided.
 - Effective July 1, 2014, the hourly wage shall increase by an additional \$0.25 per hour to \$11.05 per hour.

Health Benefits:

- The Public Authority will cease making contributions for the health benefits of IHSS Providers effective January 1, 2014. The amount contributed by the Public Authority for health benefits will instead be converted to wages as noted above.

OTHER AGENCY INVOLVEMENT/IMPACT

Representatives from the Department of Social Services and Human Resources participated in the development of the MOU. County Counsel has reviewed and approved the Resolution and MOU for legal form and effect.

FINANCIAL CONSIDERATIONS

The County is reimbursed for the cost of services from the State of California under this agreement pursuant to established sharing ratios; the costs of this contract are considered as part of the annual budget process. During the term of this MOU, hourly wages shall increase as follows: from \$10.00 to \$10.25 per hour (\$0.25), from \$10.25 to \$10.80 per hour (\$0.55), and from \$10.80 to \$11.05 per hour (\$0.25). These hourly wage increases are estimated to increase the County's ongoing costs by \$43,000 for FY 2013-2014, and \$173,000 for FY 2014-2015. There are no costs associated with the \$0.55 per hour wage increase, as this replaces and shall be in lieu of the health benefits program that was previously provided. The combined Federal, State and County costs of IHSS services are projected as follows for each of the two years covered in this MOU:

FY 2013-2014: Gross Amount:	\$22,779,960	County Share:	\$3,997,552
FY 2014-2015: Gross Amount:	\$23,671,583	County Share:	\$4,170,252

RESULTS

Adoption of this Resolution will establish a two year labor contract with the United Domestic Workers of America, increasing pay rates to individuals who will continue to provide care for disabled residents of our community.

ATTACHMENTS

1. Resolution - IHSS
2. Attachment A - 2013-2015 IHSS MOU